

always use it now with great success, and I never get tired recommending it to my friends as the very best remedy for chills and fever.' * * * 'We have used Eucaline in our family for two years and found it to be one of the best chill and fever cures we have ever used.' * * * 'the best chill medicine we have ever tried.' * * * 'We have been giving your Eucaline to our little girl for chills.' * * * 'a fine medicine for chills and fever.' * * * 'We have been using Eucaline for some time and have found it to be all O.K. for checking and curing chills and fever; also lagrippe.' * * * 'It is the best I have tried for chills and fever' * * * 'I have used Eucaline for chills and fever with success.' * * * 'I think it is the best medicine we can get for chills and keep them off.' * * * 'it is the best chill medicine that I have ever used. It is the only chill tonic that we use now.' * * * 'We have used Eucaline for chills and fever and find it a sure remedy. My little sister is taking it for chills now.' * * * 'I think it is as good a chill tonic as can be bought.' * * * 'Eucaline is the leading chill and fever remedy in this locality.' * * * 'I broke the fever with it several years ago.' * * * 'It is the only sure remedy for chills, fever and lagrippe that I have found.' * * * 'It is a great remedy for * * * lagrippe, and chills.' * * * 'I find it to be a great remedy for chills and fever; * * * 'Eucaline is the greatest chill and fever remedy ever introduced in this country.' * * * 'I have used your Tonic for chills and fever, and also for bad colds.' Misbranding was alleged with respect to the Eucaline, tasteless, for the reason that the following statements regarding its curative and therapeutic effects, were false and fraudulent: (Bottle) "Take every 3 hours to stop * * * LaGrippe. * * * to strengthen the system;" (carton) "An Improved Remedy for * * * Fevers * * * Is a most excellent remedy in cases of LaGrippe and Bad Colds. Acts mildly on the Liver * * * Restorative * * * Take every 3 hours to stop * * * LaGrippe. * * * to strengthen the system;" (circular) "For bad colds and what is termed LaGrippe in our Southern country. * * * [Testimonials] 'I don't believe it can be beat for a * * * liver tonic.' * * * 'We have been using Eucaline for some time and have found it to be all O.K. for checking and curing * * * lagrippe.' * * * 'it is the only sure remedy for * * * lagrippe * * * 'It is a great remedy for * * * lagrippe * * * 'I have used your Tonic for * * * bad colds, and I think it is unexcelled.'" Misbranding of the said Eucaline, tasteless, was alleged for the further reason that the statement "Acetanilid 3 grains to each fluid ounce," borne on the bottle and carton labels, was false and misleading, since the article contained a considerably smaller proportion of acetanilid, to wit, approximately 2½ grains per fluid ounce. Misbranding of the said Eucaline, tasteless, was alleged for the further reason that the statement "Free from Dangerous Medicine," borne on the carton, was false and misleading, since the article contained acetanilid, a dangerous medicine.

On September 28, 1932, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

19885. Misbranding and alleged adulteration of fluidextract of ginger. U. S. v. 9 Dozen Bottles of Extract of Ginger. Default decree of condemnation and destruction. (F. & D. No. 28239. I. S. No. 21116. S. No. 6105.)

This action involved the interstate shipment of a quantity of fluidextract of ginger which fell below the standard prescribed by the United States Pharmacopoeia, containing castor oil and little, if any, material derived from ginger. The label of the article bore unwarranted curative and therapeutic claims.

On April 30, 1932, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of nine dozen bottles of extract of ginger, in possession of the transportation company at Fayetteville, N. C., alleging that the article had been shipped in interstate commerce on or about April 21, 1930, by the DeLuxe Packing Co., Brooklyn, N. Y., consigned to Conway, S. C., and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Fluid Extract of Ginger, U.S.P."

It was alleged in the libel that the article was misbranded in that the statement on the bottle label, "Fluid Extract of Ginger, U.S.P.," was false and mis-

leading. Misbranding was alleged for the further reason that the statements on the label, "Can be used in relieving cramps * * * is an aid in breaking up colds," were false and fraudulent. It was further alleged in the libel that the article was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by tests laid down in the said pharmacopoeia, in that it did not contain in each 1,000 milliliters the alcohol-soluble constituents of 1,000 grams of ginger required by the pharmacopoeia, but did consist essentially of an oil such as castor oil dissolved in a mixture of alcohol, acetone and water, with little, if any material derived from ginger. This charge follows substantially the wording found in the definition of adulteration in paragraph 1, under drugs, of section 7 of the food and drugs act. The word "adulteration," however, was not used in the libel.

On September 21, 1932, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

19886. Adulteration and misbranding of Cadodyne tablets. U. S. v. Girard Pharmacal Co. Plea of nolo contendere. Fine, \$25. (F. & D. No. 27539. I. S. No. 30926.)

This action was based on the shipment of a quantity of Cadodyne tablets, samples of which were found to contain less acetanilid than declared on the label.

On July 6, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Girard Pharmacal Co., a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the food and drugs act, on or about February 19, 1931, from the State of Pennsylvania into the State of New Jersey, of a quantity of Cadodyne tablets that were adulterated and misbranded. The article was labeled in part: "Cadodyne For Pain Each tablet contains acetanilide 2 grs. * * * Prepared by Girard Pharmacal Co. * * * Philadelphia, Pa."

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since each tablet was represented to contain 2 grains of acetanilid, whereas each tablet contained less than so represented, to wit, not more than 1.592 grains of acetanilid.

Misbranding was alleged for the reason that the statement "Each tablet contains acetanilide, 2 grs." borne on the label, was false and misleading.

On September 19, 1932, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

HENRY A. WALLACE, *Secretary of Agriculture.*

19887. Misbranding of Dr. M. C. Kreitzer's salve. U. S. v. Aschenbach & Miller (Inc.). Plea of guilty. Fine, \$50. (F. & D. No. 28077. I. S. Nos. 37860, 37861.)

Examination of the drug product on which this action was based disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in representations appearing on the box and carton and in the circular.

On June 22, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against Aschenbach & Miller (Inc.), a corporation, Philadelphia, Pa., alleging shipment by said company from the State of Pennsylvania into the State of Delaware, in violation of the food and drugs act as amended, in part on or about July 15 and in part on or about September 16, 1931, of quantities of Dr. M. C. Kreitzer's salve that was misbranded.

Analysis of a sample of the article by this department showed that it consisted essentially of a lead soap, camphor, rosin, and a fatty base.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices, regarding the curative and therapeutic effects of the article, appearing on the labels of the boxes and cartons and in a circular shipped with the article, falsely and fraudulently represented that: